

EXHIBIT 1

KEITH REED, et al. v.
ALECTO HEALTHCARE SERVICES, LLC, et al.

AUGUST ULLUM
May 11, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

KEITH REED, LISA DOLENCE,
ELIZABETH SCHENKEL, EMILY WINES,
MARK GARAN, and AUGUST ULLUM,
individually and on behalf of others
similarly situated,

Plaintiffs,

v.

CIVIL ACTION NO.5:19-CV-263
Judge Bailey

ALECTO HEALTHCARE SERVICES, LLC,
and ALECTO HEALTHCARE SERVICES WHEELING,
LLC, d/b/a OHIO VALLEY MEDICAL GROUP
and d/b/a OVMC PHYSICIANS,

Defendants.

VIDEOTAPED VIDEOCONFERENCING DEPOSITION of
AUGUST ULLUM, taken by the Defendants in the
above-entitled action, pursuant to notice, before Twyla
Donathan, Registered Professional Reporter and Notary
Public, via Zoom Videoconferencing, on the 11th day of
May, 2022, beginning at 9:00 a.m.

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1 schedule. Do you recall ever working overtime once
2 you moved into the staff PT position?

3 A I did what was ever necessary to take care
4 of my clients.

5 Q I understand that, sir.

6 A So if it did involve working a little
7 overtime, that wasn't a big deal to me because my
8 patients came first.

9 Q I'm very glad to hear that was your
10 attitude, sir. Do you remember specifically working
11 any overtime between that April 2019 period and then
12 when your employment ended?

13 A Not specifically, ma'am.

14 Q Okay. Was it something that happened
15 regularly or would it have been rare?

16 A Probably rarely.

17 Q After you moved to the staff PT position,
18 did you have health insurance coverage through your
19 employment?

20 A I was covered under my wife's insurance.

21 Q Okay. And you elected to be covered under
22 your wife's insurance, correct?

23 A Yes, ma'am.

24 Q Okay. What about dental insurance, was

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1 Q Yes, sir.

2 A Approximately 134,000, 135,000 a year.

3 Q And correct me if I'm wrong, but I believe
4 you testified that you couldn't remember your hourly
5 wage after you went to a staff PT position?

6 A Whatever 100,000 divided by 2,080 would be.

7 Q I can do some quick math. I represent to
8 you that according to my calculator, that's 48.076.
9 Does that sound like -- does that refresh your
10 recollection at all?

11 A Yeah. That's fine.

12 Q Okay. Regardless of whatever your hourly
13 rate was, you think that if you worked an entire full
14 year, it came out to a hundred grand; is that right?

15 A As of the end of April of '19, yes.

16 Q Okay. So if you had worked -- your
17 understanding is if you had worked in that staff
18 position from April of 2019 until April of 2020, you
19 would have earned \$100,000 in wages over the course
20 of that year?

21 A Yes, ma'am.

22 Q Okay. Were you aware if other departments
23 in the hospital were doing the same kind of cleaning
24 and inventorying that was happening in the PT

Payroll: OVREG (Reg & Special Payments)

Timecard date: 09/07/19
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC DATE	GROSS	CK/DD #	EARNINGS						WITHHOLDING				BENEFITS				
		PAY DATE	NET	EMP TYPE	EARNING	HOURS	SHF	JOB CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR BASE	EARNED	TAKEN
GILHAM, KYLEE MARIE		09/07/19	1618.74	D546922.1	(STANDARD)		1	2290	21.7093		20.86000								
2174978		09/13/19	1177.60	FT	REG	24.400	1	2290	31.7090		20.86000	508.98	HPLNSFT	50.00		PTO-CURR	77.600	4.477	26.100
					REG	27.100	1	2290	31.7090		20.86000	565.31	VISION E	3.38					
					PTO-CURR	15.600	1	2290	31.7090		20.86000	325.42	DENTAL/S	5.67					
					PTO-CURR	10.500	1	2290	31.7090		20.86000	219.03	FICA-SS	96.70					
													FICA-MED	22.62					
													401K - M	80.94					
													FIT	134.95					
													SIT-OH	34.51					
													WHOLELIF	12.37					
SHAHSAVARI, ROZITA		09/07/19	2150.21	D546511.1	(STANDARD)		1	2280	21.7093		36.13000								
2139004		09/13/19	1277.57	PTR	REG	1.800					36.13000	65.03	HPLNSFT	50.00		PTO-CURR	58.500	7.200	48.000
					REG	3.000	1	2280	21.7770		36.13000	108.39	VISIONES	6.13					
					REG	5.700	1	2280	21.7770		36.13000	205.94	DENTAL/F	17.01					
					HOL	1.800					18.67000	33.61	FICA-SS	128.78					
					PTO-CURR	32.000					36.13000	1156.16	FICA-MED	30.12					
					PTO-CURR	16.000					36.13000	578.08	401K - M	215.02					
					BWK1.00	3.000	1	2280	21.7770		1.00000	3.00	FIT	218.27					
													SIT-WV	79.99					
													CIT-MF	3.95					
													UNLIFE	47.55					
													CRITILL	12.50					
													ACCIDEN	12.30					
													VOL LTD	29.42					
													STDF MOU	21.60					
ULLUM, AUGUST ROBERT II		09/07/19	3846.40	D546811.1	(STANDARD)		1	2280	21.7093		48.08000								
2170650		09/13/19	2790.46	FT	REG	40.000					48.08000	1923.20	FICA-SS	238.48		PTO-CURR	80.000	6.154	10.500
					REG	29.500					48.08000	1418.36	FICA-MED	55.77					
					PTO-CURR	10.500					48.08000	504.84	FIT	558.94					
													SIT-WV	201.75					
													UWAY	1.00					
WELLING, KARA CHRISTINE		09/07/19	1635.23	D547317.1	(STANDARD)		1	2280	21.7093		32.77000								
3196557		09/13/19	1249.88	PTR	REG	26.000					32.77000	852.02	FICA-SS	101.38		PTO-CURR	49.900	2.879	8.100
					REG	15.800					32.77000	517.77	FICA-MED	23.71					
					PTO-CURR	0.500					32.77000	16.39	401K - M	81.76					
					PTO-CURR	7.600					32.77000	249.05	FIT	117.02					
													SIT-WV	61.48					

-- DEPT TOTAL --

EARNING	HOURS	AMOUNT	WITHHOLDING	AMOUNT	ARREARS	BENEFIT	EARNED	TAKEN
REG	173.300	6165.00	HPLNSFT	100.00		PTO-CURR	20.710	92.700
HOL	1.800	33.61	VISION E	3.38				
PTO-CURR	92.700	3048.97	VISIONES	6.13				
BWK1.00	3.000	3.00	DENTAL/S	5.67				
			DENTAL/F	17.01				
			FICA-SS	565.34				
			FICA-MED	132.22				
			401K - M	377.72				
			FIT	1029.18				
			SIT-WV	343.22				
			SIT-OH	34.51				

Payroll: OVREG (Reg & Special Payments)

Timecard date: 09/21/19
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC	DATE	GROSS	CK/DD #	EARNINGS						WITHHOLDING		BENEFITS									
		PAY	DATE	NET	EMP	TYPE	EARNING	HOURS	SHF	JOB	CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR	BASE	EARNED	TAKEN
GILHAM, KYLEE MARIE			09/21/19	2574.10	D547883.1	(STANDARD)		1	2290		21.7093		20.86000										
2174978			09/27/19	1845.46	FT	REG	38.500	1	2290		31.7090		20.86000	803.11	HPLNSFT	50.00		PTO-CURR	80.000	4.615	57.499		
						REG	27.400	1	2290		31.7090		20.86000	571.56	VISION E	3.38							
						PTO-CURR	1.500	1	2290		31.7090		20.86000	31.29	DENTAL/S	5.67							
						PTO-CURR	12.600	1	2290		31.7090		20.86000	262.84	FICA-SS	155.93							
						PTO-PAID	43.399	1					20.86000	905.30	FICA-MED	36.47							
															401K - M	83.44							
															FIT	311.45							
															SIT-OH	69.93							
															WHOLELIF	12.37							
SHAHSAVARI, ROZITA			09/21/19	2312.32	D547546.1	(STANDARD)		1	2280		21.7093		36.13000										
2139004			09/27/19	1369.91	PTR	PTO-CURR	32.000						36.13000	1156.16	HPLNSFT	50.00		PTO-CURR	64.000	7.877	64.000		
						PTO-CURR	32.000						36.13000	1156.16	VISIONES	6.13							
															DENTAL/F	17.01							
															FICA-SS	138.83							
															FICA-MED	32.47							
															401K - M	231.23							
															FIT	250.37							
															SIT-WV	88.75							
															CIT-MF	4.25							
															UNLIFE	47.55							
															CRITILL	12.50							
															ACCIDEN	12.30							
															VOL LTD	29.42							
															STDF MOU	21.60							
ULLIUM, AUGUST ROBERT II			09/21/19	2934.80	D547792.1	(STANDARD)		1	2280		21.7093		48.08000										
2170650			09/27/19	2208.88	FT	REG	4.000						48.08000	192.32	FICA-SS	181.96		PTO-CURR	61.040	4.695	57.040		
						PTO-CURR	36.000						48.08000	1730.88	FICA-MED	42.55							
						PTO-CURR	21.040						48.08000	1011.60	FIT	357.92							
															SIT-WV	142.49							
															UWAY	1.00							
WELLING, KARA CHRISTINE			09/21/19	232.20	D548235.1	(STANDARD)		1	2280		21.7093		33.41000										
3196557			09/27/19	196.20	PTR	REG	4.000						33.41000	133.64	FICA-SS	14.40		PTO-CURR	6.950	0.401	2.950		
						PTO-CURR	2.950						33.41000	98.56	FICA-MED	3.37							
															401K - M	11.61							
															SIT-WV	6.62							

-- DEPT TOTAL --

EARNING	HOURS	AMOUNT	WITHHOLDING	AMOUNT	ARREARS	BENEFIT	EARNED	TAKEN
REG	73.900	1700.63	HPLNSFT	100.00		PTO-CURR	17.588	181.489
PTO-CURR	138.090	5447.49	VISION E	3.38				
PTO-PAID	43.399	905.30	VISIONES	6.13				
			DENTAL/S	5.67				
			DENTAL/F	17.01				
			FICA-SS	491.12				
			FICA-MED	114.86				
			401K - M	326.28				
			FIT	919.74				
			SIT-WV	237.86				
			SIT-OH	69.93				
			CIT-MF	4.25				

Payroll: OVREG (Reg & Special Payments)

Timecard date: 10/05/19
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC DATE	GROSS	CK/DD #	EARNINGS					WITHHOLDING		BENEFITS							
		PAY DATE	NET	EMP TYPE	EARNING	HOURS	SHF	JOB CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR BASE	EARNED	TAKEN
SHAHAVERI, ROZITA		10/05/19	2312.32	D548437.1	(STANDARD)	1		2280		21.7093		36.13000							
2139004		10/11/19	1369.91	PTR	PTO-CURR	32.000					36.13000	1156.16	HPLNSFT	50.00		PTO-CURR	64.000	7.877	64.000
					PTO-CURR	32.000					36.13000	1156.16	VISIONES	6.13					
													DENTAL/F	17.01					
													FICA-SS	138.83					
													FICA-MED	32.47					
													401K - M	231.23					
													FIT	250.37					
													SIT-WV	88.75					
													CIT-MF	4.25					
													UNLIFE	47.55					
													CRITILL	12.50					
													ACCIDEN	12.30					
													VOL LTD	29.42					
													STDF MOU	21.60					
ULLUM, AUGUST ROBERT II		10/05/19	225.98	D548627.1	(STANDARD)	1		2280		21.7093		48.08000							
2170650		10/11/19	203.22	FT	PTO-CURR	4.700					48.08000	225.98	FICA-SS	14.01		PTO-CURR	4.700	0.362	4.700
													FICA-MED	3.28					
													SIT-WV	4.47					
													UWAY	1.00					
-- DEPT TOTAL --																			
			EARNING		HOURS		AMOUNT		WITHHOLDING		AMOUNT		ARREARS		BENEFIT		EARNED		TAKEN
			PTO-CURR		68.700		2538.30		HPLNSFT		50.00				PTO-CURR		8.239		68.700
									VISIONES		6.13								
									DENTAL/F		17.01								
									FICA-SS		152.84								
									FICA-MED		35.75								
									401K - M		231.23								
									FIT		250.37								
									SIT-WV		93.22								
									CIT-MF		4.25								
									UNLIFE		47.55								
									CRITILL		12.50								
									ACCIDEN		12.30								
									VOL LTD		29.42								
									STDF MOU		21.60								
									UWAY		1.00								
					68.700		2538.30				965.17			8.239		68.700		NET PAY = 1573.13	